

# Petition for Order of Protection and Order for Hearing

Case # (the clerk fills this in):

In the Circuit Court of Rutherford County, TN68427

Petitioner's name (person needing protection) (\*\*Petitioner's children under 18 that are in need of protection are listed below):

If Petitioner is under 18, insert child's name if filed on behalf of an unemancipated person (someone under 18 years of age) pursuant to TCA §36-3-602. This request is being made by \_\_\_\_\_ who is ☐ child's parent or ☐ legal guardian or ☐ a caseworker.

Shannon Dyonne Franklin  
first middle last

\*\*Petitioner's children under 18 that Petitioner believes are in need of protection:

**FILED**

AUG 12 2014

LAURA BOHLING, CLERK

DEPUTY CLERK

Respondent's Information (person you want to be protected from):

Christopher Fitzgerald Franklin 01/04/1982  
first middle last date of birth (MM/DD/YYYY)

street address city state zip

Respondent's Employer: unemployed  
Employer's name Employer's phone #

Describe Respondent:

Sex	Race	Hair	Eyes	Height - Weight - SSN - Other
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Other:	<input type="checkbox"/> Black <input type="checkbox"/> Grey <input type="checkbox"/> Blond <input type="checkbox"/> Bald <input checked="" type="checkbox"/> Brown <input type="checkbox"/> Other:	<input type="checkbox"/> Brown <input type="checkbox"/> Hazel <input checked="" type="checkbox"/> Blue <input type="checkbox"/> Green <input type="checkbox"/> Gray <input type="checkbox"/> Other:	Height <u>6'2"</u> Weight <u>260</u> Social Sec. # (Provided to Clerk's office if known) <u>412-39-2442</u> Scars/Special Features <u>"Busta Free" on forearms, "Mom" on arm</u> Phone Number <u>615-203-4781</u>

① What is your relationship to the Respondent? (Check all that apply):

- a. ☒ We are married or used to be married.  
 b. ☒ We live together or used to live together.  
 c. ☐ We have a child together.  
 d. ☐ We are dating, used to date, or have had sex.  
 e. ☐ We are relatives, related by adoption, or are/were in-laws. (Specify): \_\_\_\_\_  
 f. ☐ We are the children of a person whose relationship is described above (Specify): \_\_\_\_\_  
 g. ☒ The Respondent has stalked me.  
 h. ☒ The Respondent has sexually assaulted me.

Warning!

- ☐ Weapon involved  
☐ Has or owns a weapon



② List all children under 18 that you have:

\* ☐ Check here if listing addresses would put you or your child in danger. If so, leave any spaces for addresses blank.

Name of Child	Age	Is Respondent the parent of the child? (Write "yes" or "no")	Does the child need to be protected from the Respondent?	Child's address
<u>Jada Pope</u>	<u>15</u>	<u>NO</u>	<u>YES</u>	

Aug. 12, 2014 1:09PM

No. 1269 P. 2/8  
NOV 2014

- ☐ If the parties shared a residence, Respondent can obtain his/her clothing and personal effects such as medicine as follows: (List process as approved by local law enforcement personnel)

☐ Other orders: \_\_\_\_\_

☒ **Go to court** on (date): 8/25/2014 at 9:00 ☒ a.m.  
☐ p.m.  
 at (location): Rutherford County Judicial Bldg., Room 210

You must obey these orders until the date of the hearing or until changes are made by the court. If you do not agree with these orders, go to the court hearing and tell the court why. If you do not go, the court can make orders against you. You have the right to bring your own lawyer. If you do not obey all orders on this form, you may be fined and sent to jail.

Only the court can change this Order. Neither you nor the Petitioner can agree to change this Order. Even if the Petitioner tries to contact you or agrees to have contact with you, you must obey this Order. If you do not, you can be sent to jail for up to 10 days and fined up to \$50 for each violation

(TCA § 36-3-610)

Date: 8/12/14 Time: 3:53 ☐ a.m.  
☒ p.m.

[Signature]  
 Judicial officer's signature

### Warnings to Respondent:

The court will send a copy of this Order to all law enforcement agencies in this county. Any law enforcement officer who reasonably believes you have disobeyed this Order may arrest you.

If you hurt or try to hurt anyone while this Order, probation or diversion is in effect, you may face separate charges for aggravated assault, a Class C felony.  
 (TCA § 39-13-102(c))



### Proof of Service

The Respondent was served copies of the Petition, Notice of Hearing, and Temporary Order of Protection on:

(date): \_\_\_\_\_ at (time): \_\_\_\_\_ ☐ a.m.  
☐ p.m.

by (check one):

☒ Personal service

☐ U.S. Mail per TCA §§ 20-2-216 and 20-2-216 (The Respondent does not live in Tennessee.)

\_\_\_\_\_  
 Server's signature

If the Petitioner is under 18 and serving these documents would not put him/her at risk, the Clerk will serve and fill out below. (TCA § 36-3-605(c))

I served the child's parents copies of the Petition, Notice of Hearing, and Temporary Order of Protection by personal delivery or U.S. Mail on: (date): \_\_\_\_\_

at (address): \_\_\_\_\_

\_\_\_\_\_  
 Clerk's signature:

**TEMPERARY ORDER OF PROTECTION**

**Temporary Order of Protection (Ex Parte Order of Protection)**☐ Petitioner is under 18In the Circuit Court of Rutherford County, TNCase # (the clerk fills this in):  
\_\_\_\_\_**Petitioner (person needing protection)**If Petitioner is under 10, insert child's name if filed on behalf of an unemancipated person (someone under 18 years of age) pursuant to TCA §36-3-602. This request is being made by \_\_\_\_\_ who is ☐ child's parent or ☐ legal guardian or ☐ a caseworker.Shannon

first

Dyonne

middle

Franklin

last

**Petitioner's children under 18 protected by this Order:**

Name	Age	Relationship to Respondent	Name	Age	Relationship to Respondent
1. <u>Jada Pope</u>	<u>15</u>	<u>step-child</u>	3. _____	_____	_____
2. _____	_____	_____	4. _____	_____	_____

**Respondent's Information (person you want to be protected from):**Christopher

first

FITZGERALD

middle

FRANKLIN

last

01/02/1982

date of birth (MM/DD/YYYY)

street address

city

state

zip

Respondent's Employer:

unemployed

Employer's name

Employer's phone #

**Describe Respondent:**

Sex	Race	Hair	Eyes	Height - Weight - SSN - Other
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Other: _____	<input type="checkbox"/> Black <input type="checkbox"/> Grey <input type="checkbox"/> Blond <input type="checkbox"/> Bald <input checked="" type="checkbox"/> Brown <input type="checkbox"/> Other: _____	<input type="checkbox"/> Brown <input type="checkbox"/> Hazel <input checked="" type="checkbox"/> Blue <input type="checkbox"/> Green <input type="checkbox"/> Gray <input type="checkbox"/> Other: _____	Height <u>6'2"</u> Weight <u>250</u> Social Sec. # (Provided to Clerk's office if known) <u>412-39-2442</u> Scars/Special Features <u>"Busta Free" on forearms, "Mom" on arm</u> Phone Number <u>615-203-4781</u>

The Court having reviewed the Petition for Temporary Order of Protection and finding, pursuant to TCA §36-3-605(a), that Petitioner is under an immediate and present danger of abuse from the Respondent and good cause appearing, the court issues the following:

**Orders to the Respondent:**

- ☒ Do not abuse, threaten to abuse, hurt or try to hurt, or frighten Petitioner and/or Petitioner's minor children under 18.
- ☒ Do not put Petitioner and/or Petitioner's minor children under 18 in fear of being hurt or in fear of not being able to leave or get away.
- ☒ Do not stalk or threaten to stalk Petitioner and/or Petitioner's minor children under 18.
- ☒ Do not come about the Petitioner and/or Petitioner's minor children protected by this order (including coming by or to a shared residence) for any purpose.
- ☒ Do not contact the Petitioner and/or Petitioner's minor children protected by this order either directly or indirectly, by phone, email, messages, mail or any other type of communication or contact.

**TEMPERARY ORDER**

I ask the court to make the following Orders after the hearing: (check all that apply)

- ⑦ ☒ **No Contact**  
Please order the Respondent to not contact: ☒ me ☒ our children under 18, either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.
- ⑧ ☒ **Stay Away**  
Please order the Respondent to stay away from ☒ my home ☒ my workplace or ☒ from coming about me for any purpose.
- ⑨ ☒ **Personal Conduct**  
Please order the Respondent not to:  
☒ Cause intentional damage to my property or interfere with the utilities at my home.  
☒ Hurt or threaten to hurt any animals that I/we own or keep.
- ⑩ ☐ **Temporary Custody**  
Please give me temporary custody of our children.
- ⑪ ☐ **Child Support**  
Please order the Respondent to pay reasonable child support.
- ⑫ ☐ **Petitioner Support (if married)**  
Please order the Respondent to pay reasonable spousal support.
- ⑬ ☐ **Move-out / Provide other housing**  
Please order the Respondent to (check one): ☐ move out of our family home immediately or ☐ provide other suitable housing (if married)  
☐ Check here if your home or lease is in the Respondent's name only.
- ☐ If the parties share a residence, please allow the Respondent to obtain his/her clothing and personal effects such as medicine and other things he/she may need.

- ⑭ ☒ **Counseling/Substance Abuse Programs**  
Please order the Respondent to go to a certified batterers' intervention program if one available in the area or a counseling program. *26 weeks Batterer's Intervention*
- ⑮ ☒ **No Firearms**  
Please order the Respondent not to have, possess, transport, buy, receive, use or in any other way get any firearm.  
*List all firearms that the Respondent owns, controls, or has access to:*


- ③ Where else have the children (that you and Respondent have together) lived during the last 6 months?

Children's previous addresses

Who did they live with at this address?


- ④ **Other Court Cases** – Are the children that you and Respondent have together involved in any other court case in Tennessee or another state? ☐ Yes ☒ No If "Yes," fill out below:

County and State  
of other case:

Case Number  
(if you know it):

Kind of case (check all that apply): ☐ Divorce ☐ Domestic Violence ☐ Criminal ☐ Juvenile ☐ Child Support  
☐ Other (specify):

- ⑤ **Custody Rights** – Does anyone besides you or the Respondent claim to have custody or visitation rights to the children that you and Respondent have together? ☐ Yes ☐ No If "Yes," who?

Name

Address


- ⑥ **Describe Abuse** – (use additional sheets of paper if necessary and attach to Petition)

Describe abuse, stalking or assault (include, IF APPLICABLE, information about abuse or fear of abuse to your child(ren), personal property or animals)	Where and when did this happen?	Describe any weapons used.
See Attached Statement		

Page 1 of 1Name: Shannon Franklin Court: Circuit Date: 8/12/14

## PETITION FOR ORDER OF PROTECTION NARRATIVE

I am applying for an Ex Parte Order of Protection and submit this statement as true and correct, made of my own free will, without any external coercion. I understand that I may be held in contempt of court, if I falsified any part of this document. SA (Initials)

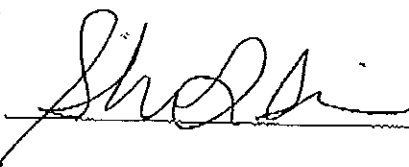
Date of Most Recent Abuse: 8/10/14 State: Tennessee County: Rutherford

I have been in an abusive marriage for seven years and have recently filed for divorce.

- On Sunday 8/10 Chris came to my home at 8:45 am and I let him in after he told me he would leave as soon as he used the restroom. He did not. He went through my purse & took my car keys. I kept asking him to leave. He pushed me up against the wall behind the door then to the bed and sexually assaulted me. I reported the sexual assault to the police.

Does your abuser use alcohol and/or drugs: ☒ Yes ☐ NoDo you fear for your safety: ☒ Yes ☐ No

Signature



Date:

8/12/14

- (16) ☒ **Animals / Pets**  
Please give me custody and control of any animal owned, possessed, leased, kept or held by me, the Respondent, or the children listed above.
- (17) ☒ **Costs, fees, and litigation taxes**  
Please order the Respondent to pay all court costs, lawyer fees, and taxes for this case.
- (18) ☐ **Other Orders: (General Relief)** \_\_\_\_\_

**I also ask the court to:**

1. Make an Immediate Temporary Order of Protection. (*Ex-Parte Order of Protection*)
2. Notify law enforcement in this county of that Order.
3. Serve the Respondent a copy of that Order and Notice of Hearing to take place within 15 days of service.
4. Serve a copy of the Request, Notice of Hearing and Temporary Order on the parents of the Petitioner (if the Petitioner is under 18 years of age) unless the Court finds that this would create a serious threat of serious harm to the Petitioner. T.C.A. §36-3-605 (c)

Petitioner (or parent/legal guardian/caseworker) signs here in front of notary/clerk/judicial officer and swears that he/she believes the above information is true:

[Signature]

Date: 8/12/14

**Notary fills out below -**

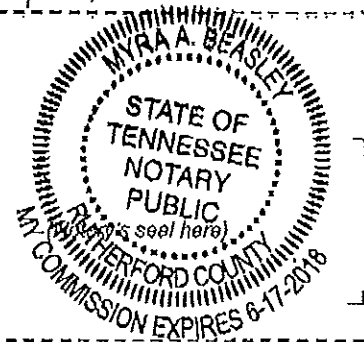
I declare that the Petitioner has read this Petition, and swears it be true to the best of her/his knowledge.

Sworn and subscribed before me, the undersigned authority,

By (Print name of notary): Myra A. Beasley

On this date: 8/12/14

Myra A. Beasley 6/17/18  
Notary/Court Clerk signs here Date notary's commission expires



☐ The court finds good cause and will issue a Temporary Order of Protection.

☐ The court does not find good cause and denies a Temporary Order of Protection - The court finds there is no immediate and present danger of abuse to the petitioner and denies the Petitioner's request for a Temporary Order of Protection. The court will set the matter for hearing.

**ORDER FOR HEARING**

The Petitioner and Respondent must go to court and explain to the Judge why the judge should or should not issue an Order of Protection against the Respondent.

This hearing will take place on (date): 08/25/2014 at (time): 9:00 ☒ a.m. ☐ p.m.

at (location): Rutherford County Judicial Bldg., Room 210

[Signature] Date \_\_\_\_\_

Judicial Officer's signature

<p><b>Proof of Service of Petition, Notice of Hearing and Temporary Order of Protection:</b></p> <p>Respondent was served on (date): _____ at (time): _____ by (check one):</p> <p><input type="checkbox"/> Personal service</p> <p><input type="checkbox"/> U.S. Mail per TCA §§ 20-2-215 and 20-2-216 (The Respondent does not live in Tennessee.)</p> <p>_____ Server's signature</p> <p>_____ Print Name</p> <p>Petitioner was served on (date): _____ at (time): _____ by (check one):</p> <p><input type="checkbox"/> Personal service</p> <p><input type="checkbox"/> U.S. Mail per TCA §§ 20-2-215 and 20-2-216 (The Respondent does not live in Tennessee.)</p> <p>_____ Server's signature</p> <p>_____ Print Name</p>	<p><b>If the Petitioner is under 18 (and Petitioner is a social worker filing on behalf of a minor) and service of these documents would not put him/her at risk, the Clerk will serve and fill out below. (TCA § 36-3-605(c))</b></p> <p><i>I served the child's parents of copies of the Petition, Notice of Hearing, and Temporary Order of Protection by personal delivery or U.S. Mail on: (date): _____ at (address): _____</i></p> <p>_____ Clerk's signature:</p>
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### Notice to the Respondent about Firearms

If the court grants the Petitioner's request for a Protective Order:

- ☒ You will not be able to have a firearm while this or any later protective order is in effect. You will have to transfer all firearms in your possession within 48 hours to any person who is legally allowed to have them. 18 U.S.C. §922(g)(8), TCA §36-3-606(g), TCA §36-3-625.
- ☒ You will not be allowed to buy a firearm until the court says otherwise.





# Tennessee Bureau of Investigation

## Order of Protection Entry Form

Information in Shaded Areas is optional or computer generated.

### Court Information

1. County Number (1-95):

15

2. Type of Order:

☒ Ex parte  
☐ Protection

3. Type of Court:

☐ Chancery ☐ General Sessions  
☒ Circuit ☐ Magistrate  
☐ Criminal

4. Case Number:

5. Official (Last, First, Middle):

6. Petitioner (Last, First, Middle):

Franklin, Shannon Dyanne

7. Date of Filing:

08/12/2014

8. Date of Court:

08/25/2014

9. Date of Expiration:

### Respondent Information:

10. Name (Last, First, Middle):

Franklin, Christopher Franklin

11. Sex: ☒ Male

☐ Female

☐ Unknown

12. Race: ☐ Black ☐ Indian

☒ White ☐ Unknown

☐ Asian

13. Date of Birth:

01/06/1982

14. Height

6 ft. 2 in.

15. Weight:

255 lbs

16. Eyes

Blue

17. Hair

Brown

18. Operators License Number

089421756

19. Street Address (Street Number, Street Name, Apt Number, Building Number)

20. City

21. State

22. Zip

23. Phone Number

(615) 203-4781

### Agency Information:

24. ORI Number

25. Operator:

26. TCIC#:

27. Date of Receipt

28. Date of Service

29. Serving Officer (Last, First, Middle)

### Other Information:

30. Caution ☐ Yes ☐ No

31. Miscellaneous Remarks

This form is filed pursuant to TCA 36-3-609, Section 2, relative to domestic violence: "Upon receipt of the copy of the Order of Protection, the local law enforcement agency shall enter such Order in the Tennessee Crime Information System."

RDA 476-10

IN THE Circuit COURT FOR RUTHERFORD COUNTY, TENNESSEE  
AT MURFREESBORO

Shannon Franklin  
PLAINTIFF

VS.

CASE NO. \_\_\_\_\_

Christopher Franklin  
DEFENDANT

STATISTICAL INFORMATION

PLAINTIFF'S NAME: Shannon Franklin

ADDRESS: 2716 English Hill Dr.

CITY: M'boro ST: TN ZIP: 37130

COUNTY: Rutherford PHONE: (615) 962-3827

SOCIAL SECURITY NUMBER: 415-29-8891

EMPLOYMENT: A-Z Office Resource, Inc.

CITY: Antioch ST: TN ZIP: 37013

PHONE: (615) 471-9140 SSN: 415-29-8891

DEFENDANT'S NAME: Christopher Franklin

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ ST: \_\_\_\_\_ ZIP: \_\_\_\_\_

COUNTY: \_\_\_\_\_ PHONE: (615) 203-4781

SOCIAL SECURITY NUMBER: 412-39-2442

EMPLOYMENT: \_\_\_\_\_

CITY: \_\_\_\_\_ ST: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ SSN: 412-39-2442